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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,860	02/03/2004	Atsushi Okuyama	1232-5271	3506
27123	7590	07/27/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			DOWLING, WILLIAM C	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/771,860	Applicant(s) OKUYAMA ET AL.	
	Examiner William C. Dowling	Art Unit 2851	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 14, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 11-13 and 15-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>51204</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 9-10, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajiri in view of Sannohe (5,579,138).

Tajiri discloses a projection apparatus comprising;

a color combining element (11) for combining a first colored light from panel (10G) and a second colored light from panel (10B, 10R);

first and second analyzing elements (7, 8) are positioned along the respective first and second light paths

Sannohe et al. discloses a projection apparatus comprising a polarizing beam splitter formed with a multilayer film having an transmission efficiency of at least 90% within a predetermined incidence angle range of +/- 5 degrees. See Column 6 Lines 29-47.

It would have been obvious to one skilled in the art at the time of the invention to modify the apparatus of Tajiri by the substitution of a PBS as taught by Sannohe in order to increase the efficiency in the amount of combined light transmitted to the projection lens.

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With respect to claim 9 such wavelength bands are old and known ranges for the colors red, blue and green.

3. Claims 1-10, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsumata et al. in view of Sannohe et al..

Katsumata et al. discloses a projection apparatus comprising;
a color combining element (26) for combining a first colored light from panel (25G) and a second colored light from panel (20, 21);
first and second analyzing elements (24, 19) are positioned along the respective first and second light paths;
a color selective waveplate (22) is provided between the second analyzing element (19) and the polarization color combining film (26a)

Sannohe et al. discloses a projection apparatus comprising a polarizing beam splitter formed with a multilayer film having an transmission efficiency of at least 90% within a predetermined incidence angle range of +/- 5 degrees. See Column 6 Lines 29-47.

It would have been obvious to one skilled in the art at the time of the invention to modify the apparatus of Katsumata et al. by the substitution of a PBS as taught by Sannohe in order to increase the efficiency in the amount of combined light transmitted to the projection lens.

With respect to claim 9 such wavelength bands are old and known ranges for the colors red, blue and green.

Further, the use of an additional polarizing plate in combination with the first analyzing PBS would have been an obvious duplication of parts in to obtain polarization filtering effects on the other light beam as well.

Allowable Subject Matter

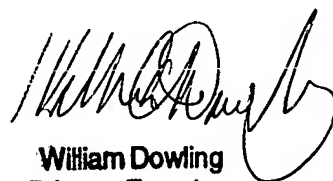
1. Claims 11-13, 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Dowling whose telephone number is 571-272-2116. The examiner can normally be reached on MON-TUES, THURS-FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-1750. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WCD


William Dowling
Primary Examiner